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10

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
13

14 DOUGLAS KRUSCHEN, an
individual,

15
16 Plaintiff,

17 v.

18 FIRST ADVANTAGE
19 CORPORATION, et al.,

20 Defendants.
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Case No. 2:16-cv-02948-DMG- (AJW)

Hon. Dolly M. Gee
Courtroom 7

**JOINT REPORT OF RULE 26(f)
CONFERENCE**

Date: Sept. 30, 2016
Time: 9:30 a.m.
Crtrm.: 7

1 Pursuant to Fed. R. Civ. P. 16 and 26, *Pro Se* Plaintiff Douglas Kruschen
2 (“Plaintiff”) and Defendant Source Support Services, Inc. (“Source”), having
3 conferred on August 5, 2016 and on other dates following this, pursuant to the
4 Federal Rules of Civil Procedure, hereby submit this Joint Report and Proposed
5 Scheduling Order.

6 **1. Statement of the Case**

7 Plaintiff alleges Defendant Source Support Services, Inc. violated the Federal
8 Fair Credit Reporting Act, and California’s Consumer Credit Reporting Agencies
9 and Investigative Consumer Reporting Agencies Acts.

10 Defendant denies Plaintiff’s allegations on various grounds.

11 **2. Substantive Issues**

12 On September 12, 2016, Plaintiff and Defendant, Source Support Services,
13 Inc., stipulated to Plaintiff’s filing of an amended complaint adding Lockheed
14 Martin Corporation as a party to this matter. Plaintiff does not have access to
15 CM/ECF, and the stipulation was mailed to the Court’s Civil Intake department on
16 September 13, 2016. Upon the Court’s grant of leave, Plaintiff intends to file the
17 amended complaint joining Lockheed Martin Corporation as a defendant.

18 **3. Damages**

19 Plaintiff is seeking statutory damages pursuant to the Federal Fair Credit
20 Reporting Act, plus California’s Consumer Credit Reporting Agencies and
21 Investigative Consumer Reporting Agencies Acts.

22 **4. Manual of Complex Litigation**

23 The Parties do not anticipate using the Manual for Complex Litigation at this
24 time.

25 **5. Status of Discovery**

26 Discovery has not yet commenced.
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1 **6. Discovery Plan**

2 The parties stipulate that the parties shall make their respective Rule 26(a)(1)
3 initial disclosures no later than 30 days after the anticipated filing and service of the
4 First Amended Complaint on Lockheed Martin.

5 The parties do not otherwise believe that any changes should be made to the
6 disclosures under Rule 26, that discovery should be conducted in phases or limited,
7 or that any changes should be made to the Federal or Local Rules.

8 The parties agree to produce in hard copies or copies on disc documents
9 produced in discovery, including those electronically stored. The parties do not
10 anticipate any unusual issues regarding claims of privilege or protection.

11 The parties are not aware of any particular issues concerning the disclosure,
12 discovery, or preservation of evidence, including as this relates to electronically
13 stored information.

14 Assuming a trial date in August 2017 as requested, the parties anticipate
15 conducting and completing discovery in accordance with the schedule included in
16 Exhibit A.

17 **7. Motion Schedule**

18 Defendant may file a Motion for Summary Judgment and/or Motion for
19 Partial Summary Judgment in this matter after at least some discovery is completed.

20 As reflected in the proposed schedule included in Exhibit A, the Parties
21 propose April 25, 2017 as a last day to file motions (including, for example,
22 dispositive and discovery motions), but excluding motions in limine and trial
23 motions.

24 **8. Settlement**

25 The parties have engaged in various settlement discussions and discussions of
26 the case generally and to date this has not resulted in a resolution of the case.
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Pursuant to the Court's notice regarding Court-Directed ADR Program, the parties are amenable to ADR Procedure No. 2 – referral to Court Mediation Panel. The Parties believe ADR should be completed as provided under L.R. 16-15.2, no later than 45 days before the Final Pretrial Conference, or June 9, 2017. The Parties shall file a Notice of ADR Procedure Selection concurrently herewith.

8 The Parties request all issues triable to a jury be tried as such. Plaintiff
9 believes trial may require two days. Defendants estimate that it will take
10 approximately two court days to present Defendants' case in chief, and believe the
11 entire case could be tried in four days or perhaps less.

13 The parties are not aware of any additional issues that need to be brought to
14 the Court's attention at this time.

17 || Dated: September 16, 2016

19 By: /s/ Douglas Kruschen
20 Douglas Kruschen
Plaintiff Pro Se

WEILBACHER & WEILBACHER APC

By: /s/ Brian R. Weilbacher
 Brian R. Weilbacher
 Lisa D. Walker
 Attorneys for Defendant Source
 Support Services, Inc.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF VENTURA

I am employed in the County of Ventura, State of California. I am over the age of 18 and not a party to the within action; my business address is: 5850 Thille Street, Suite 200, Ventura, California 93003.

On September 16, 2016, I served the foregoing document described as "JOINT REPORT OF RULE 26(f) CONFERENCE; EXHIBIT A" on the interested parties in this action by placing a true copy thereof as follows:

☒ **BY MAIL:** I deposited a true copy thereof enclosed in a sealed envelope in the mail at Ventura, California. The envelope was mailed with postage thereon fully prepaid addressed as follows.

☒ **BY ELECTRONIC SERVICE:**

☒ By transmitting the document(s) listed above, electronically, via the email addresses set forth below.

☒ By transmitting the document(s) listed above, electronically, via the Court's ECF/CM System.

Douglas Kruschen
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Via US Mail and Email

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Via Court's ECF Only

☒ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 16, 2016, at Ventura, California.



Lisa Walker